

## AMENDED AND SUBSTITUTED

### IOWA CIVIL RIGHTS COMMISSION COMPLAINT FORM

Complaint of Discrimination under Iowa Code Chapter 216, "Iowa Civil Rights Act of 1965"

**NOTE:** A copy of this complaint will be sent to the Organization or person you are filing against.

(AGENCY USE ONLY)	
ICRC CP# _____	Iowa Civil Rights Commission
Local Commission# _____	400 East 14 <sup>th</sup> Street
EEOC# _____	Des Moines, IA 50319-0201
515-281-4121 / 800-457-4416 / Fax: 515-242-5840 / <a href="http://www.state.ia.us/government/crc">http://www.state.ia.us/government/crc</a>	

(TYPE OR PRINT)

1. What is your legal name? **Kirsten Anderson**

2. What is your mailing address? [REDACTED]  
[REDACTED]

3. Telephone #: [REDACTED]

4. Your date of birth? [REDACTED]

Your sex/gender? [REDACTED]

5. Please check the **AREA** in which the discrimination occurred.

☒ **Employment**  
**Education**

**Public Accommodation**  
**Credit**

**Housing**

6. Please check the **ACTION** that the Organization took against you. (Check all that apply)

Demotion

Denied Accommodation/Modification

Denied Benefits

Denied Financial Services/Credit

Denied Service

Disciplined/Suspended

Eviction

Failure to Hire

Failure to Promote

Failure to Rent

Failure to Train

Forced to Quit/Retire

Harassment

Laid-Off/ Failure to Recall

Reduced Hours

Reduced Pay

☒ Sexual Harassment

☒ Terminated

Undesirable Assignment/Transfer

Unequal Pay

Other: \_\_\_\_\_

7. Do you believe you were discriminated against because of your Race? **No**

If yes, what is your Race? **N/A**

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8. Do you believe you were discriminated against because of your National Origin? **No**

If yes, what is your National Origin? **N/A**

9. Do you believe you were discriminated against because of your sex? **Yes**

10. Do you believe you were discriminated against because of your sexual orientation? **No**

If yes, what is your sexual orientation? **N/A**

11. Do you believe you were discriminated against because of your gender identity? **No**

12. Do you believe you were discriminated against because of a disability, real or perceived? **No**

If yes, what is your disability? **N/A**

13. Do you believe you were discriminated against because of your religion or creed? **No**

What is your religion or creed? **N/A**

14. Do you believe you were discriminated against because of your pregnancy or pregnancy related issues? **No**

15. If your complaint involves employment or credit, do you believe you were discriminated against because of your age? **No**

16. If your complaint involves housing or credit, do you believe you were discriminated against based on your familial status? **No** If yes, how many children live with you? **N/A**

17. If your complaint involves credit, do you believe you were discriminated against based on your marital status? **N/A** If yes, what is your status? **N/A**

18. If you have previously complained to anyone within the organization or the ICRC or reported discrimination or participated as a witness, do you believe you have suffered an adverse action or been treated differently since you complained about discrimination? **Yes**

If yes, how were you retaliated against and by whom? **Terminated on May 17, 2013, by Senator Bill Dix and Staff Director Eric Johansen**

19. What is the Full Legal Name of the Organization that discriminated against you?

[This Organization will be charged with discrimination and given a copy of your complaint.]

**The Iowa Senate Republican Caucus**

City: **Des Moines** County: **Polk** State: **IA**

Zip Code: **50319** Telephone #: **(515) 281-6228**

20. If the organization listed in #18 has a Parent Organization or Corporate Office list it here.  
[This Organization will also be charged with discrimination and given a copy of your complaint.]

**The Iowa Senate**

City: **Des Moines** State: **IA**

Zip Code: **50319** Telephone #: **(515) 281-5307**

21. Provide the address of the location where the discrimination occurred.

Address: **The Iowa Senate, Des Moines, IA**

22. If Employment is the Area, give approximate number of ALL employees (full-time & part-time) at ALL employer locations nationwide (**REQUIRED**):

4-14      15-19      ☒ 20-100      101-200      201-500      500+

23. Have you filed this complaint with any other Federal, State, or Local anti-discrimination agency?      Yes      ☒ No

If yes, what agency? **N/A**      When? **N/A**

24. If you are claiming an individual discriminated against or harassed you, identify the individual(s). [The individual[s] will be charged with discrimination and will be given a copy of your complaint.]

Name: <b>Senator Bill Dix</b>	Title: <b>Senate Minority Leader</b>
Name: <b>Ed Failor</b>	Title: <b>Assistant to Senator Bill Dix</b>
Name: <b>Jim Friedrich</b>	Title: <b>Senior Analyst</b>
Name: <b>Eric Johansen</b>	Title: <b>Staff Director</b>

Work Address: **The Iowa Senate, Des Moines, IA 50319**

25. What was the date of the **MOST RECENT** discriminatory incident? (Month Day, Year)

**May 17, 2013**

26. If Employment is the Area, what is your hire date or application date? **February 1, 2008**

Are you still employed by the **Organization** listed in #18?      Yes      ☒ No

If no, **when** did your employment end? **May 17, 2013** (Month Day, Year)

If no, **how** did your employment end?      ☒ Terminated      Forced to Quit      Quit

**BRIEF SUMMARY OF ALLEGATIONS.** Please describe what happened to you. How were you discriminated/harassed/retaliated against. Please be sure to address each action you identified. Insure that your summary reflects the basis you previously identified. *Please read the instruction before writing your brief summary if you have questions.*

Complainant began her employment with the Iowa Senate Republican caucus on February 1, 2008, as Communications Director. During her tenure with the Republican staff office Complainant received regular pay increases and positive performance evaluations. During the majority of her tenure with the staff office Complainant had one female coworker and eight male colleagues. Additionally, the Iowa Senate is comprised overwhelmingly of male senators on both sides of the aisle. It did not take long for Complainant to learn that the male-dominated workplace allowed sexism and fraternity house chatter to flourish.

The work environment became more toxic since 2010 when one senior analyst in the Republican staff office often talked openly and negatively about women, referring to them often in the most derogatory and vile terms. Additionally, in 2010 the same analyst once called Complainant to his desk and asked her to look at something on his computer which turned out to be a picture of a naked woman. That analyst's behavior became so problematic that Complainant and her female colleague went to the staff director at that time, Peter Matthes, and asked him to intervene.

During 2012 that same analyst made numerous comments hostile to and towards women, including, but not limited to:

Once asking Complainant when she was going to meet her husband for lunch whether she was going for "a little tickle pickle;"

On November 8, 2012, in conversation with a Republican Senator, and in front of other colleagues suggesting that a female Democratic senator "got around;"

On December 30, 2012, in a meeting of Republican staff at which Dix's advisor Ed Failor was in attendance and discussing potential clerks, the analyst joked about one candidate, "she likes the rhythm" explaining to the others present "she likes [REDACTED]." [REDACTED]

Regarding the December 30, 2012 comment, Failor told Complainant and her female colleague on January 2, 2013, that the analyst's comments were not acceptable and would not continue. He also explained that the Senate had no formal handbook or training for sexual harassment and asked whether this type of conduct had occurred before. They explained that it had. Failor told them it was best to ask the analyst to stop the comments and that he would keep their complaint confidential. He reinforced that he would follow up with a staff meeting to support a safe work environment.

On January 10, 2013, a staff meeting was held in Senate Minority Leader Dix's office during which time Senator Dix stated that there would be zero tolerance for the kind of behavior exhibited in a recent incident and that the Senate Republican staff office was to be a safe workplace. This statement during a staff meeting is in contrast with comments made by Senate Minority Leader Dix since Complainant's termination on May 17, 2013, in which

he has been quoted as saying "I've never tolerated in the past nor will I tolerate in the future harassment of any kind, including sexual harassment. I believe that we have a calm, professional environment to work in here." While clearly having stated he wanted a calm and professional environment, Dix had been alerted to the reality both by his senior advisor and by the Secretary of the Senate. That kind of behavior necessitated his meeting with staff and reiterated that this was standard operating procedure for a long time.

Complainant received an evaluation from her new staff director, Eric Johansen, who gave Complainant a step pay increase while informing her that he did not have sufficient data to do a complete review. Complainant had been given her last formal evaluation in September 2012, and was told she was meeting or exceeding all expectations.

Though Failor was not Complainant's supervisor, on January 24, 2013, he teased Complainant regarding using contractions and possessives in her writing. On January 31, 2013, he derisively told Complainant she needed remedial writing assistance. Failor routinely commented negatively regarding Complainant's choice of clothing and shoes. Other than Failor telling Complainant she needed to "read more Republican blogs," no other comments about her work were offered other than routine editing and related feedback, until May 10, 2013.

On May 10, 2013, Complainant was called into a meeting with Johansen and a Dix assistant, Tracie Gibler, where Complainant was told, for the first time in months, that her work was "not where it needed to be." Complainant pressed for details regarding specific feedback and deadlines. Other than being told she would be reevaluated again in a few more weeks, neither Gibler nor Johansen gave her anything substantial. During a meeting on May 15, 2013, Gibler and Johansen went over edits for a newsletter story for the week. This was the first time since February 7 that anyone had offered editorial feedback regarding Complainant's work.

Complainant believed that the feedback she was receiving was ill-defined and not helpful and, more importantly, was really not related to the quality of her work but rather related to her complaints regarding the hostile environment and harassment she and her coworker faced every day. On May 17, 2013, Complainant handed a memo to Johansen outlining her concerns and specifically challenging him and his bosses on their motives for complaining about her work product. She believed that they were retaliating against her for complaining about sexual harassment and told them so. She was fired seven hours later.

Respondent's actions in subjecting Complainant to a sexually hostile work environment and retaliating against her for complaining about the sexually hostile work environment violate her rights protected by the Iowa Civil Rights Act.

I certify under penalty of perjury and pursuant to the laws of the State of Iowa and the laws of the United States of America that the preceding charge is true and correct.

X Kristen Anderson  
Signature of Complainant

5/30/13  
Date